

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

UNITED STATES OF AMERICA,

-against—

USDC SDNY
DOCUMENT
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DATE FILED: 4/3/18

16 Cr. 370 (CM)

MATTHEW CONNOLLY and
GAVIN CAMPBELL BLACK,

Defendants.

X

PRE-TRIAL SCHEDULE

McMahon, C.J.:

The conference that never happened is when I was supposed to give the parties a revised schedule for pre-trial motions. This is that schedule. It is not subject to negotiation, because all such motions must be decided before by May 25, which is my last day in the office before the trial. And I want time to consider these motions – all of which have been contemplated by the parties for a very long time.

Government's 404(b) disclosure and *in limine* motions are due April 16.

Defense *in limine* motions are due April 23.

Defense response to Government's motions is due April 30.

Government's response to defense motions is due May 7.

We will hold a final pre-trial conference, at which I will hand out a decision on the motions, on May 24.

I will likely rule on the *Kastigar* motion orally at the conclusion of the hearing or very shortly thereafter. I do not mean to suggest by setting this schedule that I have pre-judged that issue. But because the Government has endlessly delayed producing Mr. Prang for testimony, I have little choice but to set this schedule. If this means that people end up doing work that proves unnecessary because I end up dismissing the indictment on *Kastigar* grounds, so be it. There is simply no other way.

All other defense pre-trial motions were decided long ago. At this point, no other motions are in order.

Dated: April 3, 2018

A handwritten signature in black ink, appearing to read "Peter M. Mc", is written above a horizontal line.

Chief Judge